

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STANLEY J. CATERBONE

Petitioner,

v.

LANCASTER COUNTY COURT OF
COMMON PLEAS, and THE DISTRICT
ATTORNEY OF THE COUNTY OF
LANCASTER, PA,

Respondents.

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CIVIL ACTION NO. 18-5139

ORDER

AND NOW, this 29th day of January, 2019, after considering the petition for a writ of habeas corpus under 28 U.S.C. § 2254 filed by the *pro se* petitioner, Stanley J. Caterbone (Doc. No. 8); and, for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. No. 8) is **DISMISSED WITHOUT PREJUDICE** to the petitioner to file a new petition after fully exhausting his state court remedies;
2. There is no cause to issue a certificate of appealability; and
3. The clerk of court shall mark this matter as **CLOSED**.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.